

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:01cr31**

SHONE EDWARD WILKES,)	
)	
Petitioner,)	
)	
Vs.)	ORDER
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
)	

THIS MATTER is before the court on petitioner’s *pro se* “Motion Requesting For The Court to Take Judicial Notice” (#553). In that motion, petitioner recounts a number of the post-judgment pleadings he has filed with the court and appears to ask the court to consider his efforts at rehabilitation while incarcerated when it considers his motion for relief under Amendment 750 to the Sentencing Guidelines. Petitioner filed the instant motion on June 29, 2012; however, the court filed its Order denying relief under Amendment 750 on June 26, 2012.

While petitioner is encouraged to continue with his education and to avail himself of programs and work assignments offered by the Bureau of Prisons, there simply is no relief that can be granted to him under Amendment 750. The reason is straightforward: due to the petitioner's classification as a Career Offender, there is no change in the guideline calculations and Amendment 750 is not applicable to his case. Additionally, due to the statutory mandatory minimum sentence required in petitioner’s case – which was life imprisonment – there can be no change in the guideline calculations.

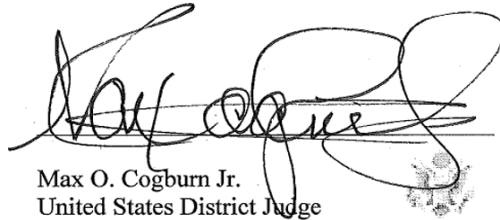
Finally, petitioner is advised that the court was well aware of and reviewed the extensive educational programs and work assignments he has successfully completed (as

outlined in the Revised Presentence Report) before it entered its Order denying relief under Amendment 750.

ORDER

IT IS, THEREFORE, IT IS HEREBY ORDERED that Petitioner's *pro se* "Motion Requesting For The Court to Take Judicial Notice" (#553) is **DENIED**.

Signed: June 29, 2012



Max O. Cogburn Jr.
United States District Judge